

Update: Child Protective Proceedings Benchbook (Revised Edition)

CHAPTER 4

Jurisdiction, Venue, & Transfer

4.16 Continuation of Family Division Jurisdiction After Child Becomes 18 Years of Age

Replace the last sentence of the third paragraph, which begins on page 112 and ends on page 113, with the following sentence:

If parental rights have been terminated, the court must continue to review the case while a child is in placement or under the jurisdiction, supervision, or control of the Michigan Children's Institute. MCL 712A.19c(1)–(2) and MCR 3.978(C).

CHAPTER 5

Notice & Time Requirements

5.2 Establishing Paternity

On page 130, immediately before Section 5.3, insert the following text:

Placement of child with putative father's parent. Effective December 28, 2004, 2004 PA 475 amended MCL 712A.13a to allow a court to place a child with a putative father's parent in some circumstances. MCL 712A.13a(1)(j) states, in part:

“A child may be placed with the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child. A placement with the parent of a putative father under this subdivision is not to be construed as a finding of paternity or to confer legal standing on the putative father. . . .”

CHAPTER 6

Petitions & Preliminary Inquiries

6.6 Preliminary Inquiries

Before the last full paragraph on page 170, insert the following text:

Effective December 28, 2004,* “relative” means:

* 2004 PA 475.

“an individual who is at least 18 years of age and related to the child by blood, marriage, or adoption, as grandparent, great-grandparent, great-great-grandparent, aunt or uncle, great-aunt or great-uncle, great-great-aunt or great-great-uncle, sibling, stepsibling, nephew or niece, first cousin or first cousin once removed, and the spouse of any of the above, even after the marriage has ended by death or divorce. A child may be placed with the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child. A placement with the parent of a putative father under this subdivision is not to be construed as a finding of paternity or to confer legal standing on the putative father.” MCL 712A.13a(1)(j).

CHAPTER 7

Preliminary Hearings

7.6 Powers and Duties of Lawyer-Guardians Ad Litem

Effective December 28, 2004, 2004 PA 475 amended MCL 712A.17d. LGALs are now required to review the agency case file prior to disposition and before a hearing on termination of parental rights. In addition, an LGAL must review updated materials provided to the court and parties, and a child's supervising agency must provide the child's LGAL certain information not later than five days before a hearing. The requirement that LGALs were to meet with the children before each hearing has been modified to require the LGAL to meet with the children before specific hearings. Beginning on page 186, replace the quote of MCL 712A.17d with the following:

“(1) A lawyer-guardian ad litem’s duty is to the child, and not the court. The lawyer-guardian ad litem’s powers and duties include at least all of the following:

- (a) The obligations of the attorney-client privilege.
- (b) To serve as the independent representative for the child’s best interests, and be entitled to full and active participation in all aspects of the litigation and access to all relevant information regarding the child.
- (c) To determine the facts of the case by conducting an independent investigation including, but not limited to, interviewing the child, social workers, family members, and others as necessary, and reviewing relevant reports and other information. The agency case file shall be reviewed before disposition and before the hearing for termination of parental rights. Updated materials shall be reviewed as provided to the court and parties. The supervising agency shall provide documentation of progress relating to all aspects of the last court ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time not later than 5 business days before the scheduled hearing.
- (d) To meet with or observe the child and assess the child’s needs and wishes with regard to the representation and the issues in the case in the following instances:
 - (i) Before the pretrial hearing.

- (ii) Before the initial disposition, if held more than 91 days after the petition has been authorized.
 - (iii) Before a dispositional review hearing.
 - (iv) Before a permanency planning hearing.
 - (v) Before a post-termination review hearing.
 - (vi) At least once during the pendency of a supplemental petition.
 - (vii) At other times as ordered by the court. Adjourned or continued hearings do not require additional visits unless directed by the court.
- (e) The court may allow alternative means of contact with the child if good cause is shown on the record.
- (f) To explain to the child, taking into account the child's ability to understand the proceedings, the lawyer-guardian ad litem's role.
- (g) To file all necessary pleadings and papers and independently call witnesses on the child's behalf.
- (h) To attend all hearings and substitute representation for the child only with court approval.
- (i) To make a determination regarding the child's best interests and advocate for those best interests according to the lawyer-guardian ad litem's understanding of those best interests, regardless of whether the lawyer-guardian ad litem's determination reflects the child's wishes. The child's wishes are relevant to the lawyer-guardian ad litem's determination of the child's best interests, and the lawyer-guardian ad litem shall weigh the child's wishes according to the child's competence and maturity. Consistent with the law governing attorney-client privilege, the lawyer-guardian ad litem shall inform the court as to the child's wishes and preferences.
- (j) To monitor the implementation of case plans and court orders, and determine whether services the court ordered for the child or the child's family are being provided in a timely manner and are accomplishing their purpose. The lawyer-guardian ad litem shall inform the court if the services are not being provided in a timely manner, if the family fails to take advantage of the services, or if the services are not accomplishing their intended purpose.

(k) Consistent with the rules of professional responsibility, to identify common interests among the parties and, to the extent possible, promote a cooperative resolution of the matter through consultation with the child's parent, foster care provider, guardian, and caseworker.

(l) To request authorization by the court to pursue issues on the child's behalf that do not arise specifically from the court appointment.

“(2) If, after discussion between the child and his or her lawyer-guardian ad litem, the lawyer-guardian ad litem determines that the child's interests as identified by the child are inconsistent with the lawyer-guardian ad litem's determination of the child's best interests, the lawyer-guardian ad litem shall communicate the child's position to the court. If the court considers the appointment appropriate considering the child's age and maturity and the nature of the inconsistency between the child's and the lawyer-guardian ad litem's identification of the child's interests, the court may appoint an attorney for the child. An attorney appointed under this subsection serves in addition to the child's lawyer-guardian ad litem.

“(3) The court or another party to the case shall not call a lawyer-guardian ad litem as a witness to testify regarding matters related to the case. The lawyer-guardian ad litem's file of the case is not discoverable.”

*Effective
December 28,
2004.

An “agency case file” means “the current file from the agency providing direct services to the child, that can include the child protective services file if the child has not been removed from the home or the family independence agency or contract agency foster care file as defined under 1973 PA 116, MCL 722.111 to 722.128.” MCL 712A.13a(1)(b).*

CHAPTER 8

Placement of a Child

8.1 Requirements to Release or Place a Child Pending Trial

B. Requirements to Place a Child Outside His or Her Home

Transfer of case from Children's Protective Services (CPS) to Foster Care Services.

On the bottom of page 203, replace the last three sentences with the following text:

Foster care services or agency workers complete the Initial Services Plan and arrange parenting time and, if necessary, sibling visits. If the agency becomes aware of additional abuse or neglect by a parent, guardian, custodian, nonparent adult, foster parent, or other person while the child is under the court's jurisdiction, and if the abuse or neglect is substantiated, the agency must file a supplemental petition. See MCL 712A.19(1) and FIA *Services Manual*, CFF 722-13 and CFP 716-9.

CHAPTER 8

Placement of a Child

8.2 Type of Placements Available

“Placement” defined.

Effective December 28, 2004, 2004 PA 475 amended MCL 712A.13(1)(a). Near the bottom of page 204, replace the definition of agency with the following text:

“Agency” means “a public or private organization, institution, or facility that is performing the functions under part D of title IV of the social security act, 42 USC 651 to 655, 656 to 657, 658a to 660, and 663 to 669b, or that is responsible under court order or contractual arrangement for a juvenile’s care and supervision.” MCL 712A.13a(1)(a).

CHAPTER 8

Placement of a Child

8.2 Type of Placements Available

Relative placements.

Before the last full paragraph on page 205, insert the following text:

Effective December 28, 2004, 2004 PA 475 amended MCL 712A.13a to add a definition of “relative” and to allow a court to place a child with a putative father’s parent in some circumstances. The definition of “relative” contained in new MCL 712A.13a(1)(j) is broader than that contained in MCL 722.111(1)(o) quoted in the paragraph above. MCL 712A.13a(1)(j) states:

“‘Relative’ means an individual who is at least 18 years of age and related to the child by blood, marriage, or adoption, as grandparent, great-grandparent, great-great-grandparent, aunt or uncle, great-aunt or great-uncle, great-great-aunt or great-great-uncle, sibling, stepsibling, nephew or niece, first cousin or first cousin once removed, and the spouse of any of the above, even after the marriage has ended by death or divorce. A child may be placed with the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child. A placement with the parent of a putative father under this subdivision is not to be construed as a finding of paternity or to confer legal standing on the putative father.”

CHAPTER 8

Placement of a Child

8.14 Required Procedures for Appeals of Changes of Foster Care Placements

A. Investigation by Foster Care Review Board

Effective December 28, 2004, 2004 PA 475 amended MCL 712A.13b. The amendments changed the time requirements governing the Foster Care Review Board's investigation. Replace the first paragraph on page 222 with the following text:

Within seven days of receiving an appeal from foster parents, the Foster Care Review Board must investigate the change or proposed change in placement. Within three days after completion of the investigation, the FCRB must report its findings and recommendations to the court or the MCI Superintendent (if the child is under the jurisdiction, supervision, or control of the MCI), foster care parents, parents, and the agency. MCL 712A.13b(3).

CHAPTER 13

Initial Dispositions

13.7 Case Service Plans

Effective December 28, 2004, 2004 PA 475 amended MCL 712A.13b. The amendments revised the definition of “agency” under MCL 712A.13a(1)(a). Replace the definition of “agency” in the fourth sentence in the last full paragraph at the bottom of page 316 with the following text:

‘Agency’ means a public or private organization, institution, or facility that is performing the functions under part D of title IV of the social security act, 42 USC 651 to 655, 656 to 657, 658a to 660, and 663 to 669b, or that is responsible under court order or contractual arrangement for a juvenile’s care and supervision.”

CHAPTER 13

Initial Dispositions

13.9 Dispositional Options Available to Court

B. In-Home Placement With Supervision

Replace the definition of “related” beginning on the bottom of page 320 and continuing on page 321 with the following text:

As used in MCL 712A.18(1)(b)* “related” means:

“an individual who is at least 18 years of age and related to the child by blood, marriage, or adoption, as grandparent, great-grandparent, great-great-grandparent, aunt or uncle, great-aunt or great-uncle, great-great-aunt or great-great-uncle, sibling, stepsibling, nephew or niece, first cousin or first cousin once removed, and the spouse of any of the above, even after the marriage has ended by death or divorce. A child may be placed with the parent of a man whom the court has found probable cause to believe is the putative father if there is no man with legally established rights to the child. This placement of the child with the parent of a man whom the court has found probable cause to believe is the putative father is for the purposes of placement only and is not to be construed as a finding of paternity or to confer legal standing.”

*Effective
December 28,
2004. 2004 PA
475.

CHAPTER 13

Initial Dispositions

13.15 Additional Allegations of Abuse or Neglect

On the bottom of page 327, replace the first paragraph and **Note** with the following text:

“If the agency becomes aware of additional abuse or neglect of a child who is under the jurisdiction of the court and if that abuse or neglect is substantiated as provided in the child protection law . . . , the agency shall file a supplemental petition with the court.”
MCL 712A.19(1).

CHAPTER 16

Dispositional Reviews & Review Hearings

In this chapter . . .

Effective December 28, 2004, 2004 PA 477 amended MCL 712A.19. On page 347, replace the first paragraph with the following text:

This chapter discusses the requirements for reviewing a court's initial dispositional order and compliance with the Case Service Plan. When a child has not been removed from his or her home, or when a child has been returned to his or her home following an initial removal, the court must conduct periodic review hearings to determine the family's progress toward rectifying conditions that brought the child within the court's jurisdiction.

On page 347, delete the second-to-last paragraph. The amendments to MCL 712A.19(2) deleted the requirement that the court review certain factors at a dispositional review hearing.

CHAPTER 16

Dispositional Reviews & Review Hearings

16.1 Time Requirements for Review Hearings

Effective December 28, 2004, 2004 PA 477 amended MCL 712A.19. On page 348 change the title of section 16.1, as indicated above.

Replace the bulleted list on pages 348–349 with the following:

- Except as explained in the third bullet, below, a review hearing must be held not more than 182 days after the child's removal from his or her home and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. After the first year that the child has been removed from his or her home, a review hearing shall be held not more than 182 days from the immediately preceding review hearing before the end of that first year and no later than every 182 days from each preceding hearing until the case is dismissed. A review hearing shall not be cancelled or delayed beyond the number of days required, regardless of whether a petition to terminate parental rights or another matter is pending. MCL 712A.19(3).
- A permanency planning hearing must be conducted within 12 months after the child was removed from his or her home. Subsequent permanency planning hearings shall be held no later than every 12 months after each preceding permanency planning hearing during the continuation of foster care. A permanency planning hearing shall not be canceled or delayed beyond the number of months required by MCL 712A.19a(1) or days required under MCL 712A.19a(2),* regardless of whether there is a petition for termination of parental rights or any other matter pending. MCL 712A.19a(1) as amended by 2004 PA 473 and MCL 712A.19c(1) as amended by 2004 PA 476, effective December 28, 2004.
- If a child is under the care and supervision of an agency and is in a permanent foster family agreement* or is placed with a relative in a placement intended to be permanent, a review hearing must be held not more than 182 days after the child has been removed from his or her home and not later than 182 days after that as long as the child is subject to the jurisdiction of the court, the Michigan children's institute, or other agency. A review hearing shall not be canceled or delayed beyond the number of days required, regardless of whether a petition to terminate parental rights or another matter is pending. MCL 712A.19(4).

*MCL 712A.19a(2) requires a permanency planning hearing to be held within 30 days after a judicial determination that reasonable efforts at reunification are not required.

*See Section 13.9(C) for a list of the required parties to a permanent foster family agreement.

*Effective
December 28,
2004. 2004 PA
476.

- Unless a child is under the care and supervision of an agency and is in a permanent foster family agreement or is placed with a relative in a placement intended to be permanent, a review hearing must be held not more than 91 days following termination of parental rights to the child and no later than every 91 days thereafter for the first year following termination of parental rights to that child. If a child remains in a placement for more than one year following termination of parental rights to the child, a review hearing shall be held no later than 182 days from the immediately preceding review hearing before the end of the first year and not later than every 182 days from each preceding review hearing thereafter until the case is dismissed. A review hearing shall not be canceled or delayed beyond the number of days required, regardless of whether any other matters are pending. MCL 712A.19c(1).*

If a child remains in his or her home, the court must conduct review hearings. MCL 712A.19(2) states in part:

*See the update
above, for
information on
subsections (3)
and (4).

“Except as provided in subsections (3) and (4),* if a child subject to the jurisdiction of the court remains in his or her home, a review hearing shall be held not more than 182 days from the date a petition is filed to give the court jurisdiction over the child and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. After the first year that the child is subject to the jurisdiction of the court, a review hearing shall be held no later than 182 days from the immediately preceding review hearing before the end of that first year and no later than every 182 days from each preceding review hearing thereafter until the case is dismissed. A review hearing under this subsection shall not be canceled or delayed beyond the number of days required in this subsection, regardless of whether a petition to terminate parental rights or another matter is pending.”

CHAPTER 16

Dispositional Reviews & Review Hearings

16.1 Time Requirements for Review Hearings

Replace the second paragraph on page 350 with the following text:

Combined permanency planning hearing and review hearing. If proper notice for a permanency planning hearing is provided, then the permanency planning hearing may be combined with a review hearing, but this must occur no later than 12 months from the removal of the child from his or her home, from the preceding permanency planning hearing, or from the number of days required under MCL 712A.19a(2).

CHAPTER 16

Dispositional Reviews & Review Hearings

16.6 Records of Dispositional Review Hearings

Effective December 28, 2004, 2004 PA 477 amended MCL 712A.19. Delete the last sentence of this section. MCL 712A.19(2) no longer provides for a rehearing that must be recorded stenographically.

CHAPTER 16

Dispositional Reviews & Review Hearings

16.7 Progress Reviews of Children at Home

Effective December 28, 2004, 2004 PA 477 amended MCL 712A.19(2) to require dispositional review hearings when a child remains in his or her home. On page 353, replace the first paragraph of this section with the following:

MCL 712A.19(2) requires a court to conduct a review hearing when a child remains in his or her home. That statute states:

“Except as provided in subsections (3) and (4), if a child subject to the jurisdiction of the court remains in his or her home, a review hearing shall be held not more than 182 days from the date a petition is filed to give the court jurisdiction over the child and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. After the first year that the child is subject to the jurisdiction of the court, a review hearing shall be held no later than 182 days from the immediately preceding review hearing before the end of that first year and no later than every 182 days from each preceding review hearing thereafter until the case is dismissed. A review hearing under this subsection shall not be canceled or delayed beyond the number of days required in this subsection, regardless of whether a petition to terminate parental rights or another matter is pending. Upon motion by any party or in the court’s discretion, a review hearing may be accelerated to review any element of the case service plan prepared according to section 18f of this chapter.”

CHAPTER 17

Permanency Planning Hearings

In this chapter . . .

On page 357, replace the introductory text with the following:

This chapter discusses permanency planning hearings. The purpose of permanency planning hearings is to review and finalize a permanency plan for a child in foster care. A court must hold a permanency planning hearing no later than 12 months after a child was removed from his or her home. In cases of serious abuse or if a parent has had his or her parental rights to another child terminated, the Family Independence Agency (FIA) must file a petition in court. See Section 2.22. In such cases, the court must hold a permanency planning hearing no later than 30 days after it finds that “reasonable efforts” to reunify the family are not required. The court’s options following a permanency planning hearing are set forth in Sections 17.1 and 17.5. For a description of all permanency options, see *FIA Services Manual*, CFF 722-7. Federal law and regulation require the agency to file or join in filing a petition requesting termination of parental rights in certain circumstances. See Section 17.6.

CHAPTER 17

Permanency Planning Hearings

17.3 Time Requirements

Effective December 28, 2004, 2004 PA 473 amended MCL 712A.19a and 2004 PA 476 amended MCL 712A.19c. After the April 2004 update to page 362, insert the following text.

Statutory time requirements. Except as provided in MCL 712A.19a(2), a permanency planning hearing must be held within 12 months after the child was removed from his or her home. MCL 712A.19a(1) and MCL 712A.19c(1). A permanency planning hearing shall not be canceled or delayed beyond 12 months, regardless of whether there is a petition for termination of parental rights or any other matter pending. *Id.*

Replace the last paragraph on page 362 and all of the text on page 363 with the following text:

Circumstances requiring a permanency planning hearing within 28 days after adjudication. MCR 3.976(B)(1) requires a court to conduct a permanency planning hearing within 28 days after a petition has been adjudicated if the parent's rights to another child were terminated involuntarily, or if a parent has been found to have abused a child or a child's sibling and the abuse included one or more of the circumstances listed in MCL 712A.19a(2). MCL 712A.19a(2) states:

“(2) The court shall conduct a permanency planning hearing within 30 days after there is a judicial determination that reasonable efforts to reunite the child and family are not required. Reasonable efforts to reunify the child and family must be made in all cases except if any of the following apply:

(a) There is a judicial determination that the parent has subjected the child to aggravated circumstances as provided in section 18(1) and (2) of the child protection law, 1975 PA 238, MCL 722.638.*

(b) The parent has been convicted of 1 or more of the following:

(i) Murder of another child of the parent.

(ii) Voluntary manslaughter of another child of the parent.

(iii) Aiding or abetting in the murder of another child of the parent or voluntary manslaughter of

*See Section 2.22 for a discussion of these statutory provisions.

another child of the parent, the attempted murder of the child or another child of the parent, or the conspiracy or solicitation to commit the murder of the child or another child of the parent.

(iv) A felony assault that results in serious bodily injury to the child or another child of the parent.

(c) The parent has had rights to the child's siblings involuntarily terminated.”

Note: The court rule requires the permanency planning hearing to be held within 28 days of the adjudication while the statute requires the permanency planning hearing to be held within 30 days of the court's finding that reasonable efforts to reunite the child and family are not required.

*As amended
by 2004 PA
477.

Review hearings following a permanency planning hearing. Except as explained in the next paragraph, the court must conduct a review hearing not more than 182 days after the child's removal from his or her home and no later than every 91 days after that for the first year that the child is subject to the jurisdiction of the court. After the first year that the child has been removed from his or her home, the court must hold a review hearing not more than 182 days from the immediately preceding review hearing and no later than 182 days from each preceding review hearing thereafter until the case is dismissed. MCL 712A.19(3).*

*As amended
by 2004 PA
477.

If a child is under the care and supervision of an agency and is in a “permanent foster family agreement” or is placed with a relative in a placement intended to be permanent, the court must hold review hearings not more than 182 days after the child has been removed from his or her home and no later than every 182 days thereafter, as long as the child remains subject to the jurisdiction of the court, the Michigan Children's Institute, or other agency. MCL 712A.19(4).*

A review hearing shall not be canceled or delayed beyond the 182 days, regardless of whether a petition to terminate parental rights or another matter is pending. MCL 712A.19(3)–(4).

*As amended
by 2004 PA 473
and 476.

Subsequent permanency planning hearings. As long as a child is in foster care, subsequent permanency planning hearings must be held no later than 12 months after each preceding permanency planning hearing. MCL 712A.19a(1) and MCL 712A.19c(1).* A permanency planning hearing shall not be canceled or delayed beyond 12 months, or beyond 30 days if the court has determined that efforts to reunite the child and family are not required, regardless of whether there is a petition for termination of parental rights or any other matter pending. *Id.*

Combined permanency planning and review hearings. A permanency planning hearing may be combined with a dispositional review hearing if

proper notice of the permanency planning hearing is provided and the court adheres to the time lines for permanency planning and review hearings. MCL 712A.19a(1) and MCL 712A.19c(1).

CHAPTER 17

Permanency Planning Hearings

17.5 Court's Options Following Permanency Planning Hearings

Replace the first sentence after the quote of MCR 3.976(E)(3) near the top of page 369 with the following text:

Effective December 28, 2004, 2004 PA 473 amended MCL 712A.19a. MCL 712A.19a(7) contains substantially similar language to MCR 3.976(E)(3). However, MCL 712A.19a(7)(b) provides that the court may place a child in foster care on a long-term basis if it is in the child's best interest *based upon compelling reasons*. MCR 3.976(E)(3) does not contain the compelling reasons requirement.

CHAPTER 19

Post-Termination Review Hearings

19.1 Purpose of and Time Requirements for Post-Termination Review Hearings

Effective December 28, 2004, 2004 PA 476 amended MCL 712a.19c. This statute now applies when a child remains in a “placement” (rather than “foster care”) following termination of parental rights. The amendments also impose new time requirements for post-termination review and permanency planning hearings. On pages 421 and 422, replace the quote of MCL 712A.19c with the following:

“(1) Except as provided in section 19(4)* and subject to subsection (2), if a child remains in placement following the termination of parental rights to the child, the court shall conduct a review hearing not more than 91 days after the termination of parental rights and no later than every 91 days after that hearing for the first year following termination of parental rights to the child. If a child remains in a placement for more than 1 year following termination of parental rights to the child, a review hearing shall be held no later than 182 days from the immediately preceding review hearing before the end of the first year and no later than every 182 days from each preceding review hearing thereafter until the case is dismissed. A review hearing under this subsection shall not be canceled or delayed beyond the number of days required in this subsection, regardless of whether any other matters are pending. Upon motion by any party or in the court’s discretion, a review hearing may be accelerated to review any element of the case. The court shall conduct the first permanency planning hearing within 12 months from the date that the child was originally removed from the home. Subsequent permanency planning hearings shall be held within 12 months of the preceding permanency planning hearing. If proper notice for a permanency planning hearing is provided, a permanency planning hearing may be combined with a review hearing held under section 19(2) to (4) of this chapter. A permanency planning hearing under this section shall not be canceled or delayed beyond the number of months required in this subsection, regardless of whether any other matters are pending. At a hearing under this section, the court shall review all of the following:

- (a) The appropriateness of the permanency planning goal for the child.
- (b) The appropriateness of the child’s placement.

*§19(4) contains time requirements for review hearings when a child is subject to a “permanent foster family agreement” or is placed with a relative in a placement intended to be permanent. See Section 16.1.

(c) The reasonable efforts being made to place the child for adoption or in other permanent placement in a timely manner.

“(2) This section applies only to a child’s case in which parental rights to the child were either terminated as the result of a proceeding under section 2(b) of this chapter or a similar law of another state or terminated voluntarily following the initiation of a proceeding under section 2(b) of this chapter or a similar law of another state. This section applies as long as the child is subject to the jurisdiction, control, or supervision of the court or of the Michigan children’s institute or other agency.”

CHAPTER 19

Post-Termination Review Hearings

19.4 Termination of Jurisdiction

Continuation of a child's placement.

Replace the last sentence of the last full paragraph on page 424 with the following text:

If parental rights have been terminated, the court must continue to review the case while a child is in placement or under the jurisdiction, supervision, or control of the Michigan Children's Institute. MCL 712A.19c(1)–(2) and MCR 3.978(C).